

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

---

PRESTON FRAN CART,

Plaintiff,

v.

Case No. 08-C-255

MICHAEL ASTRUE, Commission of Social Security,

Defendant.

---

**ORDER**

---

Plaintiff Francart has filed an action seeking review of the decision of the Commissioner of Social Security. Ordinarily, a plaintiff must pay a statutory filing fee of \$350 to bring an action in federal court. 28 U.S.C. § 1914(a). Plaintiff, however, has requested leave to proceed *in forma pauperis*, pursuant to 28 U.S.C. § 1915.

Section 1915 is meant to ensure indigent litigants meaningful access to federal courts. *Nietzke v. Williams*, 490 U.S. 319, 324 (1989). An indigent plaintiff may commence a federal court action, without paying required costs and fees, upon submission of an affidavit asserting inability “to pay such fees or give security therefor” and stating “the nature of the action, defense or appeal and affiant’s belief that the person is entitled to redress.” 28 U.S.C. § 1915(a)(1).

Plaintiff filed the required affidavit of indigence. Upon review of that affidavit, it appears that plaintiff is unable to pay the filing fee. Accordingly, the motion to proceed *in forma pauperis* is **GRANTED**.

Review of the complaint indicates that the plaintiff seeks to appeal “everything” about the decision denying him benefits. Appeals are not opportunities to re-examine every aspect of a case, however. Unless the plaintiff identifies a specific legal error he believes the administrative law judge (ALJ) committed, this court will construe the plaintiff’s appeal as a request to determine whether the ALJ’s decision was supported by substantial evidence.

The complaint also makes a request for a court-appointed attorney. That request is **DENIED** at this time. If my review of the underlying decision suggests the case is meritorious and that aid of counsel would be useful, this court may revisit the matter at such time.

**IT IS FURTHER ORDERED** that the clerk shall serve a copy of the complaint and this order on the Commissioner of Social Security. Plaintiff must provide defendants or their counsel with copies of all future motions or papers filed by the plaintiff in this action.

Dated this 25th day of March, 2008.

s/ William C. Griesbach  
William C. Griesbach  
United States District Judge